



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

JUN 16 2011

REPLY TO THE ATTENTION OF:

Matthew Stuckey
Chief
Permits Branch
Office of Air Quality
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, Indiana 46204

Dear Mr. Stuckey:

We have reviewed the Indiana Department of Environmental Management's (IDEM) proposed Title V renewal permit for State Line Energy, LLC in Hammond, Indiana (permit number 089-27037-00210) and have the following comments.

1. Page 8 of the technical support document (TSD) states "there are no enforcement actions pending" for this source. The U.S. Environmental Protection Agency has an enforcement action pending against this source. While this enforcement action is not final and does not affect this current permit renewal, the outcome of this case could subsequently affect the requirements the source's Title V permit.
2. As listed in the addendum to the TSD, a public comment on the draft permit says the State Line's Title V permit should contain a compliance schedule for violations of opacity limits at Boilers 3 and 4. IDEM's reply states that a compliance schedule is not required for these opacity limits because the source is expected to be in compliance with all applicable requirements when the renewal permit is issued.

While a compliance schedule may not be necessary if there is reasonable expectation that violations will not occur in the future, IDEM does not explain on what basis it has determined that the source is expected to be in compliance with the opacity limits in the future. Without a proper basis, a compliance schedule may be needed for the opacity limits. In addition, a compliance schedule for opacity violations may subsequently be required depending upon the outcome of the EPA enforcement action.

If you have any further questions, please contact Sam Portanova, of my staff, at (312) 886-3189.

Sincerely,

A handwritten signature in black ink that reads "Pamela Blakley". The script is cursive and fluid, with the first name and last name clearly legible.

Pamela Blakley
Chief
Air Permits Section